

N THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Tsang et al. Group Art Unit: 3641

Serial No.: 10/720,035 Examiner: Daniel L. Greene, Jr.

Filed: '11/21/2003 Confirmation No.: 2542

Title: NUCLEAR VOLTAIC CELL Attorney Docket No.: 35811_00001

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

| X | under 37 CFR 1.97(b), or (Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last) |
|---|---|
| | under 37 CFR 1.97(c) together with either a: Statement under 37 CFR 1.97(e), or a \$180.00 fee under 37 CFR 1.17(p), or (After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first) |
| | under 37 CFR 1.97(d) together with a: Statement under 37 CFR 1.97(e), and a \$180.00 fee set forth in 37 CFR 1.17(p). (Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee) |

X Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware.

Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence and any documents indicated as being enclosed therein are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,

on:

August 26, 2005. Date of Deposit:

Typed or Printed Name of person signing this certificate:

Jean A. Burns

Ciamatuma

Respectfully submitted,

GIBSON, DUNN & CRUTCHER LLP

by: Stanley J. Gradisar, Reg. No. 42,598

Attorney/Agent for Applicant(s)

Customer No. 22334

Gibson, Dunn & Crutcher LLP 1801 California Street, Suite 4200

Denver, CO 80202-2641

Phone: (303) 298-5786 Fax: (303) 296-5310

Date: August 26, 2005

60127165_1.DOC

PTO/SB/08a (08-03) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| Substitute for form 1449A/PTO | | | | Complete if Known | | |
|-----------------------------------|---|----|-----|------------------------|-----------------------|--|
| INFORMATION DISCLOSURE | | | | Application Number | 10/720,035 | |
| | | | | Filing Date | 11/21/2003 | |
| STATEMENT BY APPLICANT | | | ANI | First Named Inventor | Tsang et al. | |
| (Use as many sheets as necessary) | | | | Art Unit | 3641 | |
| | | | | Examiner Name | Daniel L. Greene, Jr. | |
| Sheet | 1 | of | 1 | Attorney Docket Number | 35811_00001 | |

| | U.S. PATENT DOCUMENTS | | | | | | |
|--|-----------------------|--|--------------------------------|--|---|--|--|
| Examiner Initials* | Cite No.1 | Document Number Number - Kind Code ^{2 (# known)} | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | | |
| | 11 | US-5,721,462 A | 02-24-1998 | Shanks | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| , | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | ļ | US- | | | | | |
| | <u> </u> | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| ······································ | | US- | | | | | |
| | | US- | | | | | |
| ····· | ļ | `US- | | | | | |
| | ł | US- | | <u></u> | | | |

| | FOREIGN PATENT DOCUMENTS | | | | | | |
|-----------------------|--------------------------|--|------------------|--|---|----|--|
| | | Foreign Patent Document | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | Ι. | |
| Examiner Initials* | | Country Code ³ - Number ⁴ - Kind Code ⁵ (<i>if known</i>) | MM-DD-YYYY | | | T° | |
| | ļ | | | | | - | |
| | | | | .,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, | | | |
| | | | | | | | |
| ···· | | | | | | | |
| ······· | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

| Examiner | Date | |
|-----------|------------|--|
| Signature | Considered | |
| Signature | Considered | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. *Applicant's unique citation designation number (optional). *See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. *Senter Office that issued the document, by the two-letter code (WIPO Standard ST.3). *For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. *Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. *Applicant is to place a check mark here if English language

Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2. 60127167_1.DOC